

COPY

Attorney or Party Name, Address, Telephone & FAX Numbers, and California State Bar Number

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

In re: BERTHA ANDREWS

Debtor(s).

FOR COURT USE ONLY

FILED
03 JUN 20 PM 4:04
CLERK, U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY: _____ DEPUTY

CASE NO.:

LA 02-45250 VZ

NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: July 15, 2003

Time: 2:00 p.m.

Location: 255 East Temple Street, Courtroom 1368, 13th Floor, LA, CA 90012

Type of Sale: ☐ Public: ☒ Private: Last date to file objections: July 1, 2003

Description of Property to be Sold: Residential Real Property consisting of a single family dwelling located at 6565 Copperwood Avenue, Inglewood, California 90302-1035.

Terms and Conditions of Sale: As Is, Where Is to Buyer, Nora Renee Gauthier. See Attached for further terms.

Proposed Sale Price: \$566,000.00

Overbid Procedure (If Any): See attached.

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

July 15, 2003 at 2:00 p.m. in Courtroom 1368, 13th Floor, 255 E. Temple St., LA, CA 90012

Contact Person for Potential Bidders (include name, address, telephone, fax and/or e-mail address):

Paul Rabinov, Broker E-Mail: rabinov@earthlink.net

Jordinelli & Associates

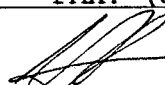
4868 Sunset Avenue

La Crescenta, CA 91214

TEL: (818) 249-1659

FAX: (818) 428-1407

Date: June 20, 2003


Paul R. Shankman, Attorney for Trustee

ATTACHMENT TO F 6004-2-TRUSTEE'S NOTICE OF SALE OF ESTATE
PROPERTY LOCATED AT 6565 COPPERWOOD AVENUE, INGLEWOOD,
CALIFORNIA 90302-1035 IN CHAPTER 7 CASE OF BERTHA ANDREWS,
CHAPTER 7 CASE NO. LA 02-45250 VZ

TERMS OF THE PROPOSED SALE OF THE
ESTATE'S INTEREST IN THE PROPERTY

- a. The Purchase Price: The Trustee proposes to sell the estate's interest in the Real Property to the Buyer for a total consideration of \$566,000.00
- b. Purchase Conditions: As part of the purchase, the Buyer agreed to (i) tender \$16,000.00 to the Trustee as an initial deposit, and (ii) pay the remaining \$550,000.00 to close escrow. As of the date of this motion, the Buyer has already deposited the required \$16,000.00 into escrow. Escrow is due to close by no later than July 31, 2003.
- c. Overbidding Procedures: The Trustee recommends that this Court approve the following terms and conditions for the submission of any overbids to purchase the estate's interest in the Real Property at the hearing on this motion:
 - i. The initial overbid shall exceed the last offering price by no less than \$10,000.00; thereafter, subsequent overbids must be \$1,000.00 or more;
 - ii. Any overbid may be presented at or before the hearing on this motion;

- iii. Any overbid to purchase the estate's interest in the Real Property shall contain no conditions or contingencies in addition to those contained in the escrow instructions/purchase offer (Exhibit "9") submitted by the Buyer and presented to this Court by the Trustee;
- iv. Any overbid must provide that there is no financing contingency;
- v. At the conclusion of the hearing on this motion, the Trustee shall confirm the highest and best offer to the Court for the estate's interest in the Property, and shall proceed to consummate the sale of the estate's interest in the Property in accordance with such offer to the highest bidder without further notice to creditors or hearing before this Court;
- vi. In addition, at the conclusion of the hearing, the successful bidder shall deposit with the Trustee, in cash or cash equivalent, an amount equal to at least ten percent (10%) of the full bid price. This deposit shall be forfeitable and non-refundable if the sale does not close by July 31, 2003, except by fault of the Trustee, unless another date is approved by the Court; and
- vii. In the event the bidder of the accepted bid fails to timely meet and perform all escrow conditions and terms of the sale, the Trustee shall be authorized to accept the next

highest bid. In said event, the Trustee shall proceed to consummate the sale of the estate's interest in the Property in accordance with such offer without further notice to creditors or hearing before this Court.

d. Liens: The Trustee proposes to sell the estate's interest in the Property free and clear of certain liens or encumbrances, undisputed, disputed or otherwise, with those liens and encumbrances to attach to the net proceeds.

i. An undisputed lien of record, that appears in a preliminary title report prepared by Equity Title Company, dated February 28, 2003 obtained for the Real Property (the "Title Report") as item no. "6" is a deed of trust recorded on June 1, 2001, for the benefit of BNC Mortgage (now Countrywide) in the amount of \$384,000.00. (A true and correct copy of the Title Report is attached hereto as Exhibit "11" and is incorporated herein as if set forth in full.

ii. However, on or about January 28, 2003, Countrywide submitted a declaration in support of its motion for relief from stay disclosing that the amount of its claim as of January 28, 2003, was \$443,255.85.¹ Said lien shall be satisfied from the sale proceeds directly from escrow.

iii. A lien for Property Taxes for the fiscal year 2002 to 2003 in the amount of \$3,148.39 which appears as item "B" in the Title Report. Said lien shall be satisfied from the sale proceeds directly from escrow.

¹Pursuant to Rule 201 of the Federal Rules of Evidence, the Trustee requests that this Court take judicial notice of the motion for relief from stay and declarations submitted by Countrywide in this case.

iv. A lien for Supplemental Taxes for the fiscal year 2001 to 2003 in the amount of \$94.43 which appears item "C" in the Title Report. Said lien shall be satisfied from the sale proceeds directly from escrow.

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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 21515 Hawthorne Blvd., Suite 1150, Torrance, California 90503.

On the date referenced below, I served the following document described as:

TRUSTEE'S NOTICE SALE OF REAL PROPERTY F 6004-2

on all other parties to this action by placing a true copy of the above document enclosed in a sealed envelope addressed as follows:

[SEE ATTACHED SERVICE LIST]

/XX/ BY MAIL - I placed each such sealed envelope, postage thereon fully prepaid for first-class mail, for collection and mailing at 21515 Hawthorne Blvd., Suite 1150, Torrance, California 90503, following ordinary business practices. I am familiar with the practice of the Law Office of JAMES ANDREW HINDS, JR. for collection and processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for collection.

/_/ BY FEDERAL EXPRESS - For each person marked with [*] I placed each such sealed Federal Express package in a Federal Express repository for collection located at 21515 Hawthorne Blvd., Suite 1150, Torrance, California 90503.

/_/ BY FAX - For each person marked with [**] I caused a true and correct copy of the document described above to be transmitted by facsimile transmission to the telephone numbers set forth on the attached sheet for the persons names and marked for facsimile transmission.

I declare under penalty of perjury and the laws of the United States of America that the above is true and correct.

Executed on June 20, 2003 at Torrance, California.



SUSAN YE H

ADT SECURITY SERVICES, INC.
ONE TOWN CENTER ROAD
P.O. BOX 5035
BOCA RATON, FL 33431-0835

CAPITAL ONE
P.O. BOX 34681
SEATTLE, WA 98124

COUNTRYWIDE HOME LOANS
400 COUNTRYWIDE WAY
SIMI VALLEY, CA 93065

FAIRBANKS CAPITAL CORP.
3815 SOUTH WEST TEMPLE
SALT LAKE CITY, UT 84115-4412

FIDELITY NATL FORECLOSURE SOLUTION
19732 MACARTHUR BLVD STE 100
IRVINE, CA 92612

FIELDSTONE MORTGAGE CORP.
P.O. BOX 977
COLUMBIA, MD 21044

HOUSEHOLD FINANCE CORP.
10814 JEFFERSON BLVD.
CULVER CITY, CA 90230

L.A. DEPT OF WATER & POWER
P.O. BOX 10210
VAN NUYS, CA 91410

LOS ANGELES COUNTY TAX COLLECTOR
P.O. BOX 54018
LOS ANGELES, CA 90054

MOSS, CODILIS, STAWIARSKI
6560 GREENWOOD PLAZA BL STE 550
ENGLEWOOD, CO 80111

OCWEN FEDERAL BANK FSB
1675 PALM BEACH LAKES BLVD.
WEST PALM BEACH, FL 33401

OLYMPUS SERVICING LLP
9600 GREAT HILLS TRAIL STE 200W
AUSTIN, TX 78759

OPTION ONE MORTGAGE
P.O. BOX 57054
IRVINE, CA 92619

SEARS
P.O. BOX 818007
CLEVELAND, OH 44181

THE WOLF FIRM
18 CORPORATE PLAZA DRIVE
NEWPORT BEACH, CA 92660-7901

TRW SYSTEMS FEDERAL CREDIT UNION
PO BOX 10018
MANHATTAN BEACH, CA 90267

WILSHIRE CREDIT CORPORATION
PO BOX 8517
PORTLAND, OR 97207-8517

EMPLOYMENT DEVELOPMENT DEPARTMENT
BANKRUPTCY GROUP MIC 92E P.O. BOX 826880
SACRAMENTO, CA 94280-0001

FRANCHISE TAX BOARD
ATTN: BANKRUPTCY P. O. BOX 2952
SACRAMENTO, CA 95812-2952

INTERNAL REVENUE SERVICE
P. O. BOX 30213
LAGUNA NIGUEL, CA 92607-0213

INTERNAL REVENUE SERVICE
INSOLVENCY I STOP 5022
300 N LOS ANGELES ST, ROOM 4062
LOS ANGELES, CA 90012-9903

LOS ANGELES CITY CLERK
P. O. BOX 53200
LOS ANGELES, CA 90053-0200

OFFICE OF THE UNITED STATES TRUSTEE
ERNST & YOUNG PLAZA
725 SOUTH FIGUEROA STREET, 26TH FLOOR
LOS ANGELES, CA 90017

BERTHA ANDREWS
19603 BELSHAW AVENUE
CARSON, CA 90746

EILEEN KEUSSEYAN, ESQ.
LAW OFFICES OF EILEEN KEUSSEYAN
205 EAST BROADWAY
GLENDALE, CA 91205

ROSENDO GONZALEZ, CHAPTER 7 TRUSTEE
515 S. FIGUEROA, SUITE 1970
LOS ANGELES, CALIFORNIA 90071

OWEN H. PRAGUE, ESQ.
COUNTRYWIDE HOME LOANS, INC.
P.O. BOX 10231
VAN NUYS, CA 91410-0231

MS. KANA KOBAYASHI
5777 W. CENTURY BLVD., SUITE 860
LOS ANGELES, CA 90045

PAUL RABINOV, BROKER
JORDINELLI & ASSOCIATES
1108 COLORADO BOULEVARD
LOS ANGELES, CALIFORNIA 90041

NORA RENEE GAUTHIER
NATHANIEL WHITMYER
6565 COPPERWOOD AVENUE
INGLEWOOD, CA 90302-1035